

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

***In re* FLINT WATER CASES**

**Civil Action No. 5:16-cv-10444-JEL  
(consolidated)**

**Hon. Judith E. Levy**

**NINTH DIRECTIVE OF THE SPECIAL MASTER REGARDING  
THE STATUS OF CERTAIN SETTLEMENT REGISTRATIONS AND CLAIMS**

On January 21, 2021, the Court issued its *Opinion and Order Granting Plaintiffs’ Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components [1318]* and *Granting Plaintiffs’ Motion for an Order Adopting the Proposed Motion for Approval of Wrongful Death Settlement [1334]*, ECF No. 1399 (“Preliminary Approval Order”). In the Preliminary Approval Order, the Court appointed Deborah Greenspan as the Special Master (“Special Master”) under the Amended Settlement Agreement (the “ASA”). Id. at PageID.54465.

On November 10, 2021, the Court issued its *Opinion and Order Granting Final Approval of a Partial Settlement, Granting Certification of a Settlement Class, Granting Appointment of Settlement Class Counsel [1794]*, *Denying Objections, and Adopting the Report and Recommendation [2006]*, ECF No. 2008 (“Final Approval

Order”).<sup>1</sup> The Final Approval Order approved the settlement reached between Plaintiffs and the Settling Defendants in the ASA (ECF No. 1394-2, PageID.54120). On January 20, 2022, the Court issued its *Order Regarding Settlement-Related Duties of the Special Master*, ECF No. 2096, PageID.71973. Both the ASA and the Order Regarding Settlement Related Duties of the Special Master provide that the Special Master is to address issues regarding registrations and the registration process. *See* ASA §12.10, PageID.54164; *Order Regarding Settlement-Related Duties of the Special Master*, ECF No. 2096, PageID.71975-71976.

The Preliminary Approval Order established March 29, 2021 as the deadline to register to participate in the Amended Settlement (“Settlement”). Preliminary Approval Order, ECF No. 1399, PageID.54467. The Court subsequently adopted the Special Master’s November 9, 2021 *Report and Recommendation of the Special Master Regarding Late Registrants* (“Late Registrants Recommendation”), ECF No. 2006, PageID.68730, which recommended that the Court permit any registrant who registered on or before September 28, 2021 to participate in the Settlement and that any such registration be considered timely. *See* Late Registrants Recommendation, at PageID.68734; Final Approval Order, ECF No. 2008, PageID.69632 (adopting the same). The claims administrator established both an online and “mail in” system for

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms herein have the same meaning set forth in the Amended Settlement Agreement that the Court has approved.

submitting registrations. In addition, the claims administrator accepted emailed registrations. Some individuals employed other mechanisms to submit registrations, including submission to other entities such as the Court, agencies of the State, and the Special Master's office. All forms of registration submission were deemed acceptable.

The ASA provides that only those who submitted timely registrations are eligible to submit claim forms for compensation. *See* ASA, §3.8, PageID.54141. The claim submission period commenced on January 12, 2022 and closed on June 30, 2022. Since the commencement of the claim submission period, the Special Master has received communications from individuals and law firms seeking clarification of the status of certain registrations and claims. In addressing these inquiries, the Special Master has identified situations where registration forms were timely submitted but were not recorded within the class submission period, and situations where claim forms were not able to be submitted by the claim submission deadline because claims packets or notices were not timely sent or received.

On March 17, 2022, the Special Master filed a *Directive of the Special Master Regarding the Status of Certain Settlement Registrations*, ECF No. 2143 PageID.72477 ("First Directive"), addressing twenty (20) registrations that the Special Master had investigated and determined were valid and timely.

On April 7, 2022, the Special Master filed a *Second Directive of the Special*

*Master Regarding the Status of Certain Settlement Registrations*, ECF No. 2153, PageID.72586 (“Second Directive”) addressing three registrations that the Special Master had investigated and determined were valid and timely.

On May 27, 2022, the Special Master filed a *Third Directive of the Special Master Regarding the Status of Certain Settlement Registrations*, ECF No. 2168, PageID.72727 (“Third Directive”) addressing additional registrations that the Special Master had investigated and determined were valid and timely.

On June 14, 2022, the Special Master filed a *Fourth Directive of the Special Master Regarding the Status of Certain Settlement Registrations*, ECF No. 2174, PageID.72958 (“Fourth Directive”), addressing four registrations that the Special Master had investigated and determined were valid and timely.

On July 6, 2022, the Special Master filed a *Fifth Directive of the Special Master Regarding the Status of Certain Settlement Registrations*, ECF No. 2183, PageID.72993 (“Fifth Directive”), addressing three registrations that the Special Master had investigated and determined were valid and timely.

On October 5, 2023, the Special Master filed a *Sixth Directive of the Special Master Regarding the Status of Certain Settlement Registrations*, ECF. No. 2183 PageID.90110 (“Sixth Directive”), addressing 206 additional registrations that the Special Master investigated and determined to be valid and timely.

On October 5, 2023, the Special Master filed a *Seventh Directive of the*

*Special Master Regarding the Status of Certain Settlement Registrations*, ECF. No. 2718, PageID.90110 (“Seventh Directive”), addressing 68 additional registrations that the Special Master investigated and determined to be valid and timely.

On September 11, 2024, the Special master filed an *Eighth Directive of the Special Master Regarding the Status of Certain Settlement Registrations*, ECF. No. 3144, PageID.107558 (“Eighth Directive”) addressing six additional registrations that the Special Master investigated and determined to be valid and timely.

The Special Master, together with her professional staff, has continued to review inquiries and has further conducted an extensive audit and review of all registration forms received by mail, and of all registration forms received by emails and other communications to identify and confirm other registrations. The Special Master’s office reviewed and analyzed over 2,000 email records and approximately 9,000 mail records. This Ninth Directive addresses ten additional registrations that the Special Master has investigated through that process and has determined are valid and timely and for which claim submissions should be accepted. The registrations that are subject of this Directive include:

- (1) Ten registrations where there was clear evidence of their intent to register before September 28, 2021 but which were not recorded by the claims administrator as a timely registration for the particular individual. These

registrants are identified in Exhibit A.

Minors are identified on the exhibits by their initials. The Special Master has determined that each of the above-described registration forms is timely and, accordingly, the claims administrator is directed to accept the individuals on Exhibit A as timely registrants under the Amended Settlement Agreement. The Special Master will coordinate with the claims administrator to provide to all such individuals – directly or through counsel as appropriate – with a claim account and claim package to enable the prompt submission of claims.<sup>2</sup>

So Directed.

Date: September 17, 2024

/s/ Deborah E. Greenspan

Deborah E. Greenspan, Esq.

Special Master

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<sup>2</sup> The Special Master is continuing to investigate the status of other registrations.

**CERTIFICATE OF SERVICE**

I certify that on September 17, 2024, I electronically filed the foregoing document with the Clerk of the Court using the Court's ECF system, which will send notification of such filing to attorneys of record.

Date: September 17, 2024

/s/ Deborah E. Greenspan

Deborah E. Greenspan

Special Master

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